IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:23-cv-00020-MR-WCM

CLARA M. MANN,)	
Plaintiff,)	ORDER
v.)	Ouden
TRAILS CAROLINA, LLC,)	
Defendant.)))	

This matter is before the Court following the filing of an Amended Disclosure of Citizenship filed by Defendant Trails Carolina, LLC (the "Disclosure," Doc. 18).

The Disclosure provides some additional information regarding the citizenship of relevant persons and entities in Defendant's ownership structure but does not fully trace the citizenship of all such parties through the multiple corporate layers until only individuals and/or corporations are reached. Instead, the Disclosure states that "additional limited liability companies," which are members in Defendant's corporate structure, "are citizens of states other than South Carolina." Doc. 18 at 3. Assuming, *arguendo*, that a negative allegation of citizenship is sufficient, the citizenship of the members of each limited liability company must be fully traced. See Jennings v. HCR ManorCare, Inc., 901 F.Supp.2d 649, 651 (D.S.C. 2012) ("an LLC's members'

citizenship must be traced through however many layers of members there

may be"); see also MB Realty Group, Inc. v. Dolgencorp, LLC, No. GJH-19-

2300, 2021 WL 2457151, at * 4 (D. Md. June 16, 2021) ("When jurisdiction

depends on diversity of citizenship, 'citizenship should be distinctly and

affirmatively alleged") (quoting U.S. Agrisoil, LLC v. Kreloff, No. JKB-20-

2454, 2021 WL 409789, at *2 (D. Md. Feb. 5, 2021) (slip copy) (quoting <u>Toms v.</u>

Country Quality Meats, Inc., 610 F.2d 313, 316 (5th Cir. 1980)).

As Defendant additionally requests that it be "heard on the matter prior

to further submissions," Doc. 18 at 4, in the event the Court requires additional

information, the Clerk is **RESPECTFULLY DIRECTED** to schedule a hearing.

It is so ordered.

Signed: July 10, 2023

W. Carleton Metcalf

United States Magistrate Judge